

OCT 31 2006

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Patent Ext, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the below date:

Date: 10/31/06

Name: Gustavo Siller, Jr., Reg. No. 32,305 Signature:

SH/DOC
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& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Naoya Hasegawa ET AL.

Appln. No.: 09/900,992

Examiner: Christopher R. Magee

Filed: July 9, 2001

Art Unit: 2627

For: EXCHANGE COUPLING FILM
AND MAGNETORESISTIVE
ELEMENT USING THE SAME

Attorney Docket No: 9281-3995

Mail Stop Patent Ext.
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached are:

Transmittal Letter (in duplicate); Petition for Reconsideration of Patent Term Adjustment (in duplicate) with attached Appendix A and B.
 Return Receipt Postcard

Fee calculation:

No additional fee is required.
 Small Entity.
 An extension fee in an amount of \$ _____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
 A petition or processing fee in an amount of \$ _____ under 37 C.F.R. § 1.17(______).
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Small Entity		Not a Small Entity	
						Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
						Total	\$	Total	\$

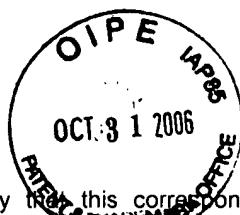
Fee payment:

A check in the amount of \$200.00 for the Petition fee is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$ _____. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$ _____. (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date 10/31/06

Gustavo Siller, Jr. (Reg. No. 32,305)



I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

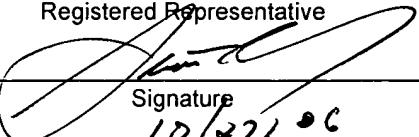
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Alexandria, VA 22313, on

10/27/06

(Date of Deposit)

Gustavo Siller Jr., Reg. No. 32,305

Name of Applicant, Assignee or
Registered Representative


Signature

10/27/06

Date of Signature

Our Case No. 9281-3995

Client Ref. No. N US00077

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Naoya Hasegawa)	
Serial No.: 09/900,992)	Examiner: Christopher R. Magee
Filing Date: July 9, 2001)	Art Unit: 2627
For: EXCHANGE COUPLING FILM AND MAGNETORESISTIVE ELEMENT)	
USING THE SAME)	

PETITION FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT

Mail Stop Patent Ext
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

U.S. Patent Application Serial No. 09/900,992 has a patent term adjustment under 35 U.S.C. §154(b) of 715 days as indicated by the PAIR PTA adjustment history, herein attached as Appendix A. U.S. Patent Application 09/900,992 is not subject to a terminal disclaimer. For the reasons stated herein, reconsideration of this patent term adjustment is respectfully requested.

Period of adjustment pursuant to 37 C.F.R. § 1.703(b)

Applicant respectfully requests petition for additional patent term adjustment pursuant to 37 C.F.R. § 1.703(b). The period of adjustment pursuant to 37 C.F.R. § 1.703(b) is the number of days in the period beginning on the day ("the 3 year date") after the date that is three years after the date on which the application was filed pursuant to 35 U.S.C. § 111(a) or fulfilled the requirements pursuant to 35 U.S.C. § 371.

The present application was filed on July 9, 2001. The 3 year date specified in 37 C.F.R. § 1.703(b) is July 9, 2004. The issue date as indicated by the Issue Notification is October 10, 2006. The Issue Notification is attached as Appendix B. The difference between the 3 year date (July 9, 2004) and the issue date (October 10, 2006) is 823 days.

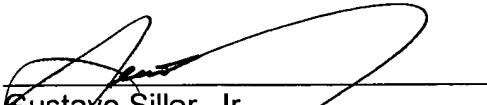
Total patent term adjustment

For the present application, the total patent term adjustment pursuant to 37 C.F.R. § 1.703(f) is the adjustment under 37 C.F.R. § 1.703 reduced by the reduction under 37 C.F.R. § 1.704. The total adjustment is thus $715 + 823 = \underline{1538 \text{ days}}$.

For the reasons stated herein, reconsideration of the patent term adjustment is respectfully requested pursuant to 37 C.F.R. 1.705(b). Should any additional fee be required, please charge the fee or credit any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

Applicants respectfully request reconsideration of the patent term adjustment for this application. Office personnel are invited to contact the undersigned for Applicants via telephone if such communication would expedite this request.

Respectfully submitted,



Gustavo Siller, Jr.
Registration No. 32,305
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
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APPENDIX

A

Search results as of: 10-17-2006::15:51:04 E.T.

Patent Term Adjustment

Filing or 371(c) Date:	07-09-2001	USPTO Delay (PTO) Delay (days):	761
Issue Date of Patent:	10-10-2006	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	46
Post-Issue Petitions (days):	+0	Total Patent Term Adjustment (days):	715
USPTO Adjustment(days):	+0	Explanation Of Calculations	

Patent Term Adjustment History

Date	Contents Description	PTO(Days)	APPL(Days)
09-20-2006	PTA 36 Months		
10-10-2006	Patent Issue Date Used in PTA Calculation		
07-26-2006	Dispatch to FDC		
06-30-2006	Application Is Considered Ready for Issue		
06-23-2006	Issue Fee Payment Verified		
06-28-2006	Receipt into Pubs		
06-23-2006	Issue Fee Payment Received		
04-28-2006	Receipt into Pubs		
04-11-2006	Receipt into Pubs		
04-03-2006	Mail Notice of Allowance		
03-31-2006	Notice of Allowance Data Verification Completed		
03-21-2006	Case Docketed to Examiner in GAU		
02-01-2006	Date Forwarded to Examiner		
02-01-2006	Date Forwarded to Examiner		
01-25-2006	Request for Continued Examination (RCE)	44	
02-01-2006	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		↑
01-25-2006	Request for Extension of Time - Granted		↑
01-25-2006	Workflow - Request for RCE - Begin		↑
12-28-2005	Mail Advisory Action (PTOL - 303)		↑
12-22-2005	Advisory Action (PTOL-303)		↑
12-20-2005	Date Forwarded to Examiner		↑
12-13-2005	Amendment after Final Rejection		↑
09-12-2005	Mail Final Rejection (PTOL - 326)		↑
09-06-2005	Final Rejection		↑
06-21-2005	Date Forwarded to Examiner		
06-13-2005	Response after Non-Final Action	2	
03-11-2005	Mail Non-Final Rejection	9	
03-07-2005	Non-Final Rejection		↑
02-10-2005	IFW TSS Processing by Tech Center Complete		↑
02-10-2005	Date Forwarded to Examiner		↑
11-02-2004	Response to Election / Restriction Filed		↑
11-02-2004	Workflow incoming amendment IFW		

09-30-2004	Mail Restriction Requirement	752
09-29-2004	Requirement for Restriction / Election	↑
09-07-2004	Information Disclosure Statement (IDS) Filed	↑
08-30-2004	Miscellaneous Incoming Letter	↑
12-12-2002	Case Docketed to Examiner in GAU	↑
07-09-2001	Information Disclosure Statement (IDS) Filed	↑
07-09-2001	Request for Foreign Priority (Priority Papers May Be Included)	↑
11-08-2001	Case Docketed to Examiner in GAU	↑
08-27-2001	Application Dispatched from OIPE	↑
08-25-2001	Correspondence Address Change	↑
07-25-2001	IFW Scan & PACR Auto Security Review	↑
07-09-2001	Initial Exam Team nn	↑

[**Close Window**](#)

APPENDIX

B



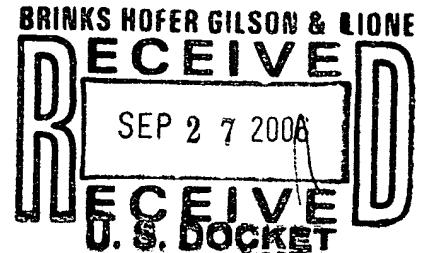
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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,992	10/10/2006	7119996	9281-3995	6893

7590 09/20/2006

Brinks Hofer Gilson & Lione
P.O. Box 10395
Chicago, IL 60610



ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment is 715 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

APPLICANT(s) (up to 18 names are included below, see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Naoya Hasegawa, Niigata-ken, JAPAN;
Masamichi Saito, Niigata-ken, JAPAN;